

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

BREANNA NICOLE COLLINS,	)	
	)	
Plaintiff,	)	Cause No.
	)	
vs.	)	
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
	)	
Defendant.	)	

**ORIGINAL COMPLAINT FOR DAMAGES  
UNDER THE FEDERAL TORT CLAIMS ACT**

COMES NOW, Plaintiff, Breanna Nicole Collins, by and through her attorneys and for her cause of action against Defendant, The United States of America, complains as follows:

1. At all times herein mentioned Plaintiff, Breanna Nicole Collins, was and is a resident of the State of Missouri, in the Eastern District of Missouri, and currently resides at 13585 Point Maple Dr., Wright City, MO 63390.

2. The claims herein are brought against the United States pursuant to the Federal Tort Claims Act (28 U.S.C section 2671, et seq.) and 28 U.S.C. section 1346(b)(1), for money damages as compensation for loss of property and personal injuries that were caused by the negligent and wrongful acts and omissions of an employee of the United States Government while acting within the scope of his office and employment, under circumstances where the United States, if a private person, would be liable to the Plaintiff in accordance with the laws of the State of Missouri.

3. Venue is proper in that all of the acts and omissions forming the basis of these claims occurred in the Eastern District of Missouri, as the cause of action herein accrued and occurred in the County of St. Charles, State of Missouri on or about June 20, 2018.

4. Plaintiff has fully complied with the provisions of 28 U.S.C. section 2675 of the Federal Tort Claims Act.

5. This suit has been timely filed, in that Plaintiff timely served notice of her claim on the U.S. Department of Homeland Security (DHS) in May of 2019 by filing an administrative claim in the amount of \$26,897.99 related to a motor vehicle accident that occurred on June 20, 2018 at or near O'Fallon, Missouri. On November 20, 2020, The DHS denied the claim via letter addressed to Attorney for Plaintiff, and notified Plaintiff of her right to file suit in this Court.

4. That at all times herein mentioned, South Outer Road and Highway K were open and public highways located within the County of St. Charles, in the Eastern District of Missouri.

5. That on or about June 20, 2018, Plaintiff was operating her vehicle eastbound on South Outer Road. Plaintiff was stopped directly behind a 2017 Ford Explorer registered to the Department of Homeland Security (DHS) and driven by Jeffery Allen Larson, an employee of DHS who was acting within the scope of his official duties. Plaintiff's vehicle was stopped at a red light at Highway K when due to the negligent and careless manner in which Jeffery Larson operated his DHS motor vehicle, Plaintiff's vehicle was struck and collided with, thereby causing Plaintiff to suffer severe and

permanent injuries as more specifically alleged hereinafter, as well as property damage to her 2006 Jeep Commander vehicle, as set forth in her administrative claim.

6. That the aforesaid collision and resulting damages sustained by Plaintiff were directly and proximately caused by the negligence, carelessness, failures and omissions of the Jeffery Larson in the following respects, to-wit:

- (a) He failed to keep a careful lookout.
- (b) He drove at an excessive speed;
- (c) He failed to maintain control of his vehicle;
- (d) He negligently failed to stop, swerve, or apply his brakes in a proper and timely fashion so that a collision would not occur;
- (e) He knew or by the highest degree of care should have known that there was a reasonable likelihood of collision in the time thereafter to have stopped, swerved, slackened his speed, sounded a warning, slackened his speed and swerved, slackened his speed and sounded a warning, or swerved and sounded a warning, but he failed to do so.
- (g) He was backing improperly.

7. That as a direct and proximate result of the negligence of Jeffery Larson, Plaintiff sustained injury to her head, neck, back, chest, shoulders and arms; that Plaintiff suffered, suffers and in the future will continue to suffer great physical pain and mental anguish and that all of Plaintiff's injuries are permanent and progressive.

8. That as a direct and proximate result of the carelessness, negligence, failures and omissions of Jeffery Larson, as stated aforesaid, Plaintiff has been caused to expend

sums of money for reasonable medical, doctor, and hospital care and plaintiff will be caused to undergo further reasonable and necessary medical care and treatment in the future for which he will become indebted. Further due to the negligence, carelessness, failures and omissions of Jeffery Larson, Plaintiff has sustained lost wages.

WHEREFORE, Plaintiff Breanna Nicole Collins prays judgment against Defendant in the amount of \$26,897.99, plus any additional amounts allowed under the provisions of the Federal Tort Claims Act including her costs and attorney fees expended herein, and for such other and further relief as the Court deems just and proper under the circumstances.

Respectfully Submitted,

/s/ Robert M. West  
Robert M. West #37501MO  
Attorney for Plaintiff  
P.O. Box 11636  
Clayton, MO 63105  
314/725-9504  
314/725-6052 (Fax)  
Westlaw@charter.net